

12-16-02

PTO/SB/30 (08-00)

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DEC 12 2002

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/371,760
Filing Date	August 10, 1999
First Named Inventor	Tomoyuki FUNAKI
Group Art Unit	2654
Examiner Name	D. Nolan
	DEC 17 2002
	Technology Center 2600
Attorney Docket No.	393032009400

This is a Request for continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted
- i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \*\*\*  
(Any unentered amendment(s) referred to above will be entered)
  - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \*
  - iii.  Other:
- b.  **Enclosed**
- i.  Amendment/Reply
  - ii.  Affidavit(s)/Declaration(s)
  - iii.  Information Disclosure Statement (IDS) (includes PTO Form PTO 1449 with 5 references)
  - iv.  Other: Petition for one month extension of time

2. **Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.1039c) for a period of \* months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b.  Other:

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 03-1952. Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
- i.  RCE fee required under 37 C.F.R. § 1.17(e) 12/17/2002 CV0111 00000028 031952 09371760
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1801 740.00 CH
  - iii.  Other:
- b.  Check in the amount of \$ \_\_\_\_\_ enclosed
- c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

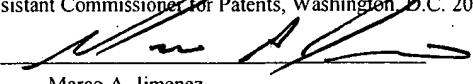
Name (Print/Type)	Mehran Arianmand	Registration No. (Attorney/Agent)	48,231
Signature		Date	December 12, 2002

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**

Express Mail Label No.: EV175186624US

Date of Deposit: December 12, 2002

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Box RCE, Assistant Commissioner for Patents, Washington, D.C. 20231.

  
Marco A. Jimenez

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.

OIA  
DEC 12 2002  
PATENT & TRADEMARK OFFICE  
Small Entity Status. See 37 CFR 1.27

# Fee Transmittal FOR FY 2002

Patent fees are subject to annual revision.

## TOTAL AMOUNT OF PAYMENT

(\$850.00)

## Complete if Known

Application Number	09/371,760
Filing Date	August 10, 1999
First Named Inventor	Tomoyuki FUNAKI
Examiner Name	D. Nolan
Group Art Unit	2654
Attorney Docket No.	393032009400

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DEC 17 2002

Technology Center 2600

## METHOD OF PAYMENT

 Check  Credit Card  Money Order  Other

Deposit Account Number

03-1952

Deposit Account Name

Morrison &amp; Foerster LLP

## The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) required Under 37 CFR 1.16 and 1.17  
 Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee (\$)	Fee (\$)
1001	740	2001	370
1002	330	2002	160
1003	510	2003	255
1004	740	2004	370
1005	160	2005	80
SUBTOTAL (1)		(\$0)	

## 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Extra Claims	Fee from below	Fee Paid
0	0	-20** =	0	x 18 = \$0
		-3** =	0	x 84 = \$0
Multiple Dependent				= \$
Large Entity	Small Entity	Fee Description		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee (\$)
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claims, if not paid
1204	84	2204	42	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$0)		

\*\* or number previously paid, if greater; For Reissues, see above.

## 3. ADDITIONAL FEES

Large Entity | Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1804	920*	1804	920*	Surcharge - late filing fee or oath	
1805	1,840*	1805	1,840*	Requesting publication of SIR prior to Examiner action	
1251	110	2251	55	Requesting publication of SIR after Examiner action	110
1252	400	2252	200	Extension for reply within first month	
1253	920	2253	460	Extension for reply within second month	
1254	1,440	2254	720	Extension for reply within third month	
1255	1,960	2255	980	Extension for reply within fourth month	
1401	320	2401	160	Extension for reply within fifth month	
1402	320	2402	160	Notice of Appeal	
1403	280	2403	140	Filing a brief in support of an appeal	
1451	1,510	1451	1,510	Request for oral hearing	
1452	110	2452	55	Petition to institute a public use proceeding	
1453	1,280	2453	640	Petition to revive - unavoidable	
1501	1,280	2501	640	Petition to revive - unintentional	
1502	440	2502	220	Utility issue fee (or reissue)	
1503	600	2503	300	Design issue fee	
1460	130	1460	130	Plant issue fee	
1807	50	1807	50	Petitions to the Commissioner	
1806	180	1806	180	Petitions related to provisional applications	
8021	40	8021	40	Submission of Information Disclosure Stmt	
1809	740	2809	370	Recording each patent assignment per properties (times number of properties)	
1810	740	2810	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
1801	740	2801	370	For each additional invention to be examined (37 CFR § 1.129(b))	
1802	900	1802	900	Request for Continued Examination (RCE)	740
Other fee (specify)					

\*Reduced by Basic Filing Fee Paid

## SUBTOTAL (3)

(\$850.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Mehran Arjomand	Registration No. (Attorney/Agent)	48,231	Telephone	(213) 892-5630
Signature				Date	December 12, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.